



Fitch, Even, Tabin & Flannery

Intellectual Property Law

F A C S I M I L E

Name: U.S. Patent & Trademark Office

FAX: 703 - 746-4060

Application No.: 10/805,170

Filing Date: March 19, 2004

Inventors: Abrahams et al.

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

From: Martin R. Bader, Reg. No. 54,736

Today's Date: October 4, 2004 *MAB*

Attorney Docket No.: 81101/7114

Pages: Thirty-five (35) (including this 1-page coversheet)

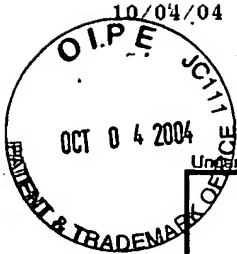
Dispatched by: M. Bader

Transmitted herewith for filing via facsimile:

Transmittal Form (1 pg.); Fee Transmittal (1 pg.); Response to Notice to File Missing Parts of Application (2 pgs.); Petition for Extension of Time, in duplicate (2 pgs.); Substitute Combined Declaration for Patent Application/Power of Attorney (3 pgs.); Petition to the Commissioner (4 pgs.); Declaration of Carrie Merzbacher (3 pgs.); Declaration of Nola Hines (2 pgs.); Declaration of Barbara Zamorano (2 pgs.); Copy of Notice to File Missing Parts of Nonprovisional Application (2 pgs.); Exhibits A, B, C, D, E and F (12 pgs.); and Facsimile Cover Sheet (1 pg.)

The documents accompanying this facsimile transmittal cover sheet contain information from the law firm of Fitch, Even, Tabin & Flannery which may be confidential and/or legally privileged. The documents are intended only for the personal and confidential use of the addressee identified above. If you are not the intended recipient or an agent responsible for delivering these documents to the intended recipient, you are hereby notified that any review, disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmitted information is strictly prohibited. If you have received this facsimile in error, please immediately notify the Firm so that we can arrange for the return of the original documents to us. Thank you.

9276 Scranton Road, Suite 250
San Diego, California 92121-7701
Telephone 858-552-1311
Fax 858-552-0095
81101faxcvrsh.001



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Approved for use through 07/31/2006, OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2005

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$1,568.00)

Attorney Docket No.

Complete if Known

Application Number 10/805,170
Filing Date March 19, 2004
First Named Inventor Abrahams
Examiner Name Not Yet Assigned
Art Unit Not Yet Assigned

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number
Deposit Account Name

06-1135

Fitch, Even, Tabin & Flannery

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	790.00
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$790.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
13	20**	0 X 18.00	0.00
Independent Claims	4	3**	1 X 88.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	**Release independent claims over original patent	
1205	18	2205	9	**Release claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$68.00)

**or number previously paid, if greater; For Releases, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or cash	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	430.00
1253	680	2253	480	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	650	2503	330	Plant issue fee	
1480	130	1480	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$680.00)

SUBMITTED BY

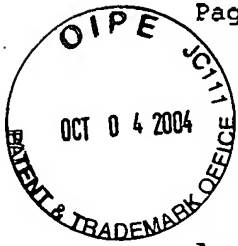
Name (Print/Type)	Martin R. Bader	Registration No. (Attorney/Agent)	\$4,736	Telephone	858-552-1311
Signature		Date	October 4, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No. 81101/7114

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): ABRAHAMS, Marc)
 David et al.)
 Application No.: 10/805,170)
 Filed: March 19, 2004)
 Title: A SYSTEM FOR UBIQUITOUS)
 NETWORK PRESENCE AND)
 ACCESS WITHOUT COOKIES)
 Confirmation No.: 7393)

Certificate of Mailing

I hereby certify that this
 correspondence is being facsimile
 transmitted to the USPTO or
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Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

10/04/04
 Date

M. R. Bader
 Martin R. Bader
 Reg. No. 54,736

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop MISSING PARTS
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

This is in response to a Notice to File Missing Parts of
 Nonprovisional Application. Enclosed is a copy of said Notice and the
 following documents and fees to complete the filing requirements of
 the above-identified application. Enclosed herewith are:

- (X) Oath or Declaration Under 37 CFR § 1.63;
- (X) Petition Under Under 37 CFR § 1.47(b);
- (X) Declaration of Carrie Merzbacher in Support of Petition
 Under 37 CFR § 1.47(b);
- (X) Declaration of Nola Hines in support of Petition Under 37
 CFR § 1.47(b);
- (X) Declaration of Barbara Zamorano in support of Petition Under
 37 CFR § 1.47(b);

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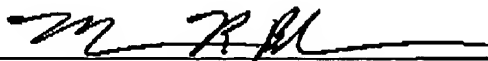
Docket No. 81101/7114

- (X) Statutory basic filing fee of \$790.00 for NonProvisional Application;
- (X) Additional claim fees of \$88.00 for 1 independent claim over 3;
- (X) Missing Parts Surcharge \$130.00;
- (X) A Petition for Extension of Time for reply to Notice of Missing Parts is attached for two months (\$430.00); and
- (X) Petition to the Commissioner fee \$130.00.

Respectfully submitted,

Date: October 4, 2004

By:


Martin R. Bader
Fitch, Even, Tabin & Flannery
Reg. No., 54,736

Address all correspondence to:
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Chicago, Illinois 60603-3406
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Facsimile: (858) 552-0095



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22304-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/805,170	03/19/2004	Marc David Abrahams	81101 7114

37123
FITCH EVEN TABIN & FLANNERY
120 SOUTH LASALLE SUITE 1600
CHICAGO, IL 60603

CONFIRMATION NO. 7393

FORMALITIES LETTER

OC000000012652908

Date Mailed: 06/03/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a):

- The statutory basic filing fee is missing.
Applicant must submit \$770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$86 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

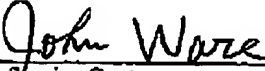
Total additional fee(s) required for this application is \$986 for a Large Entity

• \$770 Statutory basic filing fee.	10/06/2004 AWONDAF1 00000039 061135	10805170
• \$130 Late oath or declaration Surcharge.	01 FC:1001	790.00 DA
	02 FC:1051	130.00 DA
	03 FC:1201	88.00 DA

- Total additional claim fee(s) for this application is \$86
 - \$86 for 1 independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


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Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE